

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LARRY DONACHY and BRUCE
KINLEY, on behalf of themselves and
others similarly situated,

Plaintiffs

vs.

MOTION CONTROL INDUSTRIES,
DIVISION OF CARLISLE
CORPORATION, RETIREMENT PLAN
FOR BARGAINING UNIT EMPLOYEES
OF MOTION CONTROL INDUSTRIES,
DIVISION OF CARLISLE
CORPORATION,

Defendants

Civil Action No. 1:04-CV-245

Judge Sean J. McLaughlin

NOTICE OF APPEAL

NOTICE is hereby given that Larry Donachy and Bruce Kinley, on behalf of themselves and others similarly situated, plaintiffs in the above-named case, hereby appeal to the United States Court of Appeals for the Third Circuit from the Final Judgment entered in this action on the 21st day of December, 2005.

JUBELIRER, PASS & INTRIERI, P.C.

BY: s/Robert A. Eberle
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within Notice of Appeal was served upon counsel for defendant this 12th day of January, 2006, by First Class U.S. Mail, postage prepaid, addressed as follows:

Richard A. Lanzillo, Esquire
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s/Robert A. Eberle
Robert A. Eberle, Esquire

DATED: January 12, 2006